

15866 U.S. PTO  
100803

W&W File No.: 3177 P 478

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Divisional Patent Application Of: )  
RANDY GOLDEN )  
 ) Prior Application:  
 ) Application No. 09/966,996  
Mailed: October 8, 2003 ) Filed: September 28, 2001  
 )  
 ) Examiner: Not Assigned  
For: APPARATUS FOR FORMING ROLLED LIPS ) Art Unit: Not Assigned  
ON THERMOPLASTIC CONTAINERS )

03917 U.S. PTO  
10/681465  
100803

**DIVISIONAL PATENT APPLICATION**  
**TRANSMITTAL FILING UNDER 37 C.F.R. §1.53(b)**

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a divisional application of pending prior Application Serial No. 09/966,996, under 37 C.F.R. § 1.53(b). The parent application was filed on September 28, 2001, by Applicant Randy Golden and is similarly entitled "Apparatus for Forming Rolled Lips on Thermoplastic Containers."

**Benefit of Prior U.S. Application**

The attached divisional application being transmitted claims the benefit of a prior U.S. application, as indicated above.

**Papers Enclosed**

In accordance with 37 C.F.R. § 1.63(d), the specification filed herewith contains no new matter. While it is a revised version of the specification as originally filed in the prior U.S. application, the revisions are minor (e.g., grammatical changes have been made where appropriate, and other corrections required during prosecution of the parent application).

The papers attached are as follows:

- 7 pages of Specification;
- 2 pages of Claims;
- 1 page of Abstract; and
- 2 sheets of Drawings containing Figures 1-6.

Attorney Docket No. 3177 P 343  
Title: Apparatus for Forming Rolled Lips on  
Thermoplastic Containers  
Inventor: Randy Golden

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**Declaration or oath (including power of attorney)**

A copy of the executed Declaration and Power of Attorney filed in the prior U.S. application is submitted herewith, in accordance with 37 C.F.R. §1.63(d).

**Additional Papers Enclosed**

A copy of the original Assignment recorded in the prior U.S. application is enclosed. Also enclosed is a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i).

**Inventorship Statement**

The inventorship for all the claims in this application are the same as that for the parent application.

**Fee Calculation (37 C.F.R. § 1.16)**

The filing fee has been calculated as shown below:

			Small Entity		or	Other Than A Small Entity	
For:	No. Filed	No. Extra	Rate	Fee		Rate	Fee
Basic Fee				\$385	or		\$770
Total Claims	18 - 20 =	0	x 9 =	\$-0-	or	x 18 =	\$-0-
Indep. Claims	1 - 3 =	0	x 43 =	\$-0-	or	x 86 =	\$-0-
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			x 145 =	\$-0-	or	x 290 =	\$-0-
			Total	\$-0-	or	Total	\$770

  X   Check in the amount of \$770.00 is attached. The Commissioner is hereby authorized to credit any overpayment to Deposit Account No. 23-0280.

**Relate Back--35 U.S.C. 120**

As required under 35 U.S.C. 120, the Specification of the attached application has been amended to include a specific reference to the earlier filed parent application, pending U.S. Application No. 09/966,996 filed on September 28, 2001.

Attorney Docket No. 3177 P 343  
Title: Apparatus for Forming Rolled Lips on  
Thermoplastic Containers  
Inventor: Randy Golden

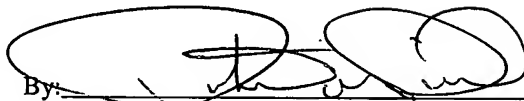
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Please address all future communications to:

ROBERT W. DIEHL, REG. NO. 35,118  
Wallenstein Wagner & Rockey, Ltd.  
311 South Wacker Drive, 53rd Floor  
Chicago, Illinois 60606-6622  
312.554.3300

Respectfully submitted,

Date: October 8, 2003

By: 

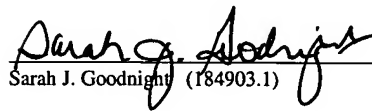
Robert W. Diehl, Reg. No. 35,118  
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Attorney for Applicants

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Date of Deposit: October 8, 2003

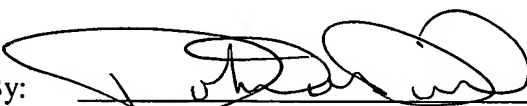
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

  
Sarah J. Goodnight (184903.1)

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122 (b)(2)(B)(i)</b>	First Named Inventor	Randy Golden
	Title	Apparatus for Forming Rolled Lips on Thermoplastic Containers
	Atty Docket Number	3177 P 478

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date: October 8, 2003

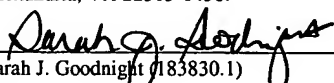
By:   
 Robert W. Diehl, Reg. No. 35,118  
 Wallenstein Wagner & Rockey, Ltd.  
 311 S. Wacker Drive, 53rd Floor  
 Chicago, Illinois 60606-6630  
 312.554.3300

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

Express Mail Label No. EL999652305US

Date of Deposit: October 8, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

  
 Sarah J. Goodnight (183830.1)

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122 (b)(2)(B)(iii)).**